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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,808	06/21/2000	Matthew J. Kotler	MS1-558US	8044
22801	7590	03/08/2006	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			NGUYEN BA, PAUL H	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/599,808

Applicant(s)

KOTLER ET AL.

Examiner

Paul Nguyen-Ba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17, 81 and 82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17, 81 and 82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1. This action is responsive to Applicant's Amendment filed on 12/27/2005.
2. Claims 1-17, 81, and 82 are currently pending.
 - a. Applicant withdrew claims 18-80.
 - b. Claims 1 and 2 are independent claims.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-8, and 11, 12, 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redpath, U.S. Patent No. 5,630,126, in view of Excel Developer Tip (hereinafter "Excel"), "Determining the Data Type of a Cell", May 13, 1998, page 1 (*available at <http://jwalk.com/ss/excel/tips/tip62.htm>*).

Regarding Independent Claim 1, Redpath discloses:

A computer-implemented method comprising:

presenting a free floating field in line with text in a document, the free floating field containing content derived from a source (see Figure 8; column 2, lines 45-53 → compare “math parts” with free floating field);

... ; and

upon modification of the source, automatically updating the content in the free floating field (see column 2, lines 39-40 → content updated upon user input).

Redpath incorporates, but does not explicitly disclose:

interpreting user entry based upon a determination of a type of the content already in the free floating field (see column 6, lines 15-18 → the system evaluates formula or assigns value based upon type of content).

However, Excel discloses:

interpreting user entry based upon a determination of a type of the content already in the free floating field (see Excel – pg. 1 (All) → Excel provides a built-in function (CellType function) to specifically determine a user entry based upon the type of the content (Value, Text, Logical, Time, Error, etc.) already in a cell (i.e., free floating field). Moreover, the built-in function SpecialCells combined with the variables xlCellTypeNotes, xlCellTypeFormulas, xlCellTypeConstants can identify the various cell types as well. The SpecialCells function can also be accessed via the Go To Special option under the Edit options panel in Excel).

Since Redpath and Excel are both from the same field of endeavor, the motivational purpose of determining the type of data in a cell as disclosed by Excel would have been recognized in the pertinent art of Redpath. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Redpath with the teachings of Excel to include interpreting user entry based upon a determination of a type of the content already in the free floating field for the purpose expressed above.

Regarding claim 3, Redpath further discloses

the method of claim 1, wherein the source is text and the free floating field presents the text (see Figure 3 - 112; column 7, lines 24-26 → non-numeric data).

Regarding claim 4, Redpath further discloses

the method of claim 1, wherein the source is a data value and the free floating field presents the data value (see Figure 3 - 112; column 7, lines 24-26 → numeric data).

Regarding claim 5, Redpath further discloses

*the method of claim 1, wherein the source resides separate from the free floating field and the free floating field presents content derived from referencing the source (see generally column 1, lines 45 *et seq.* → source can be linked by reference to a math part from a different location).*

Regarding claim 6, Redpath discloses

the method of claim 1, further presenting a table containing multiple cells (see col. 2 lines 38-40; col. 4 lines 3-23 → table is defined by Webopedia.com as “data arranged in rows and columns. A spreadsheet, for example is a table.” Therefore, Redpath’s “ragged spreadsheet” table consists of multiple “math cells”) in which one cell is the source (see column 3, lines 60-61 → math cell with the same name in the formulas of the other math cells functions as the source); and upon modification of the cell, automatically updating the content in the free floating field (see column 2, line 40 and related discussion elsewhere in specification).

Regarding claim 7, Redpath further discloses the method of claim 1, wherein the free floating field is a first free floating field, the method further comprising:

presenting a second free floating field, the second free floating field presenting content derived from referencing the first free floating field (see column 3, lines 60-61 → the math cell with the same name in the formulas of the other math cells functions as the source); and

upon modification of the source, automatically updating the contents in the first and second free floating fields (see column 2, lines 39-40 and related discussion elsewhere in specification).

Regarding claim 8, Redpath discloses

the method of claim 1, further comprising overlaying a formula edit box on the free floating field to facilitate user entry of a formula into the free floating field (see Figure 6; column 3, lines 9-14).

Regarding claim 11, Redpath discloses the method of claim 1, further comprising:

creating a cell structure in association with the free floating field, the cell structure holding one of a formula or data used in the free floating field (see column 3, lines 4-5 → each math cell may include an associated formula or data to be used in other math parts); and

*creating a format structure in association with the free floating field, the format structure holding formatting information for the free floating field (see Figure 2; column 6, lines 11-14 → compare “configuring operation” with *format structure*).*

Regarding claim 12, Redpath discloses

the method of claim 1, further comprising formatting the free floating field independently of the text (see generally Figure 2 and Abstract; column 6, lines 11-14 and related discussion elsewhere in specification → can arrange position and size of math part or add and modify text or values in the math part independent of text).

Regarding claim 14, Redpath discloses

the free floating field and the source in a nested relationship (see Fig. 8 → the sources (i.e. values) are contained within the free floating fields (i.e. math parts)).

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Regarding claim 15, Redpath further discloses the method of claim 14, wherein the determining comprises:

evaluating whether the type of content is a formula or non-text data (see column 6, lines 15-18 → evaluates whether formula or non-text data);

if the type of content is a formula or non-text data, interpreting the user's entry as applicable to spreadsheet functions (see column 6, lines 15-18 → evaluates formula or assigns value based upon type of content); and

if the type of content is not a formula or non-text data, interpreting the user entry as applicable to word processing functions (see generally column 6, lines 15-18 → if not formula or non-text data, calculation is not performed on text and generic word processing functions are applied instead).

Regarding claim 16, Redpath further discloses

evaluating whether the type of content is a formula (see column 6, lines 15-18 → evaluates formula or assigns value based upon type of content);

if the type of content is a formula, highlighting all of the formula and allowing editing in a formula edit box (see column 3, lines 9-14 → compare "dialog box" with formula edit box; allows editing of formula for the accentuated math cell); and

*if the type of content is not a formula, placing a cursor in the free floating field (see generally column 6, lines 52 *et seq.* → dialog box allows entry of non-formula values within the math cell field, the characters or values delineating inherently from a space identifying cursor position).*

Regarding claim 17, Redpath further discloses

a computer readable medium having computer-executable instructions that, when executed on one or more processors, perform the method as recited in claim 1 (see column 5, lines 51-63).

4. Claims 2, 81, and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redpath, U.S. Patent No. 5,630,126, in view of Excel Developer Tip (hereinafter "Excel"), "Determining the Data Type of a Cell", May 13, 1998, page 1 (*available at*

<http://jwalk.com/ss/excel/tips/tip62.htm>), in further view of Laura Acklen & Read Gilgen (“Acklen”), *Using Corel Wordperfect 9*, 251-284, 424-434, 583-586 (1998).

Independent Claim 2

Redpath-Excel disclose a method of presenting a free floating field in line with text in a document with respect to independent claim 1 as discussed above. Redpath-Excel does not specifically disclose the method wherein the document is written in a markup language.

However, Acklen discloses a method for creating an HTML Web page document including tables (see pgs. 583-585 → under heading: Add Tables) for the purpose of presenting table cell information via the Internet.

Since Redpath-Excel and Acklen are both from the same field of endeavor, the purpose disclosed by Acklen would have been recognized in the pertinent art of Redpath-Excel. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to present the document in a markup language for the purpose of presenting table cell information via the Internet.

Claims 81 and 82

Redpath-Excel disclose the method of independent claim 1 as discussed above, but does not specifically disclose nesting the free floating field within a cell in the table or nesting the table within the free floating field.

However, Acklen discloses inserting (or nesting) a floating cell into a table (see pg. 429) and also discloses inserting a table by positioning an insertion point in any area within your

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document where you would want to insert a table (see pg 254) for the purpose of nesting the free floating field within a cell in the table or nesting the table within the free floating field.

Since Redpath-Excel and Acklen are both from the same field of endeavor, the purpose disclosed by Acklen would have been recognized in the pertinent art of Redpath-Excel.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Redpath-Excel with Acklen to include nesting the free floating field within a cell in the table or nesting the table within the free floating field for the purpose of providing text adornments associated with objects on the page in an efficient manner.

5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Redpath, U.S. Patent No. 5,630,126, in view of Excel Developer Tip (hereinafter "Excel"), "Determining the Data Type of a Cell", May 13, 1998, page 1 (*available at* <http://jwalk.com/ss/excel/tips/tip62.htm>), in further view of Curbow et al. ("Curbow"), U.S. Patent No. 5,669,005.

Claim 13

Redpath-Excel disclose a method integrating text and a free floating field within a common document, the free floating field supporting spreadsheet functionality, but does not specifically disclose modifying a format of the text and automatically applying the format to the free floating field.

However, Curbow discloses a method of modifying evaluating *an aspect of the document; and applying the control function across both the text and the content parts* for the purpose of simplicity resulting from the fact that the user only has to learn one way to perform a particular task, such as editing text (see Curbow, column 2, lines 66-67 to column 3, lines 1-9 and related discussion elsewhere in specification).

Since Redpath-Excel and Curbow are both from the same field of endeavor, the purpose disclosed by Curbow would have been recognized in the pertinent art of Redpath-Excel. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to further integrate text and free floating fields within a common document by applying modifications across both the text and the content parts for the purpose of simplicity stemming from the fact that the user only has to learn one way to perform a particular task, such as editing text.

6. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redpath, U.S. Patent No. 5,630,126, in view of Excel Developer Tip (hereinafter "Excel"), "Determining the Data Type of a Cell", May 13, 1998, page 1 (*available at* <http://jwalk.com/ss/excel/tips/tip62.htm>), in further view of Microsoft Visual Basic 5.0 Programmer's Guide, 1997, pgs. 578-579, Redmond, Washington 98052-6399 ("Microsoft").

Claim 9

Redpath-Excel disclose an overlaying formula edit box on the free floating field to facilitate user entry of a formula into the free floating field, but does not specifically teach resizing the formula edit box as the user enters the formula.

However, Microsoft discloses the resizing of boxes or controls at run time for the purposes of user readability and to respect inherent document size restrictions (see Microsoft, pgs. 578, 579 → “Resizing Controls Dynamically”)

Since Redpath-Excel and Microsoft are both from the same field of endeavor, the purpose disclosed by Microsoft would have been recognized in the pertinent art of Redpath-Excel. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Redpath-Excel with Microsoft to include a formula edit box allowing resizing for the purposes of user readability and to respect inherent document size restrictions.

Claim 10

Redpath-Excel disclose an overlaying formula edit box on the free floating field to facilitate user entry of a formula into the free floating field, but does not specifically teach extending the formula edit box horizontally and subsequently vertically as the user enters the formula.

However, Microsoft discloses the extending the formula edit box horizontally and subsequently vertically at run time for the purposes of user readability and to respect inherent

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document size restrictions (see Microsoft, pgs. 578, 579 → “Resizing Controls Dynamically”; compare “Height” and “Weight” with *horizontal* and *vertical*).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Redpath-Excel with Microsoft to include a formula edit box that allows for extending the formula edit box horizontally and subsequently vertically at run time for the purposes of user readability and to respect inherent document size restrictions.

Response to Arguments

7. Applicant's arguments with respect to claims filed on 12/27/2005 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
3/3/2006